

Significant Enforcement Actions Taken During March 15 – April 15, 2003 (Mark Alpert)

Below is a summary of the noteworthy enforcement actions issued in response to significant violations in the period March 15 – April 15, 2003 and an update to compliance issues previously discussed. The actions discussed below do not include those issued for Sanitary Sewer Overflows (SSOs), which are reported in a separate section of the EO report. The violations documented at these sites continue to be under review. In the future, Regional Board will be updated on the status of these violations and if further enforcement actions are recommended:

ACLs for failure to pay fees

On April 23, 2003 the San Diego Regional Board began issuing complaints for the assessment of administrative liability to dischargers that were issued Notice of Violations by the State Water Resources Control Board for failure to pay annual fees. To date 24 complaints have been issued. Generally, the ACLs propose to assess \$605 liability for facilities failing to pay annual fees in a timely manner. We anticipate many of these dischargers will waive their right to a hearing and pay the penalty along with any outstanding annual fees owed the State. The Regional Board will consider these matters at its regularly scheduled meeting on June 14, 2003. If any of the dischargers elect to waive their right to hearing, the item(s) will be removed from the June agenda to allow for a 30-day public review period. The following are a list of dischargers receiving complaints:

Facility name	City	WDID no.	Facility name	City	WDID no.
AAA Foreign Auto Recycling	Chula Vista	37S016197	Control Components Inc.	Rancho Santa Margarita	30S013854
A & E AUTO RECYCLING	Chula Vista	37S012719	Centex Homes	Temecula	33S316937
ACI SUNBOW LLC	Chula Vista	S9 37S306900	CW Clark Inc.	Escondido	37S303667
ACI SUNBOW LLC	Chula Vista	S9 37S310323	Famste Investment Co.	Poway	37S313543
ACI SUNBOW LLC	Chula Vista	S9 37S312192	JMI Realty	San Diego	37S316319
All Truck Parts	San Diego	37S016195	Makena Properties	San Clemente	30S316011
America Auto Wrecking	San Diego	37S012471	Rancho Auto Wrecking	San Diego	37S016874
Best Buy Company Inc	Mission Viejo	30S303647	Scorpio Trucks & Wreckers	San Diego	37S014871
Bestway Auto Wrecking	San Diego	37S013933	Stockers Motorcycles	San Diego	37S013286
Brookfield Laud Co.	Santa Ana	37S300416	Tanaka Designs	San Marcos	37S014803
Buie Communities	San Diego	33S313984	Teledyne Ryan	San Diego	37S004452
California Traditions Inc.	San Diego	37S314490	Vista Industrial Park	Lake Forest	30S317019

Shea Homes, Kelly Ranch. City of Carlsbad. Agua Hedionda Lagoon in the Carlsbad watershed (Means)

On April 16, 2003 the Executive Officer of the Regional Board issued an Administrative Civil Liability Complaint against Shea Homes alleging multiple days of sediment discharge to Agua Hedionda Lagoon, a Clean Water Act section 303 (d) sediment

impaired water body, and failure to perform water quality monitoring necessary to assess the effectiveness of their water quality protection efforts. The complaint proposes to assess a \$90,000 liability. A public hearing on this matter is scheduled for the June 11, 2003 Regional Board Meeting.

City of Carlsbad, Municipal Storm Water Program *(Means)*

The North County Times newspaper published an article (Copy of April 20, 2003 attached) of a critical review of the City of Carlsbad implementation of the their stormwater program. The article was published subsequent to the Regional Board's issuance of a March 5 NOV to the City of Carlsbad for failing to enforce their storm water ordinance and failing to implement their construction storm water program.

Ryland Homes, Serenada: Temecula, San Margarita Watershed *(Becker)*

On March 11, 2003, the developer submitted an application to the State Board to obtain coverage under the State's construction stormwater permit. This was after receiving notice from the Regional Board that failure to file an NOI before initiating grading is a violation and may be subject to assessment of liability. The Regional Board issued a NOV on April 8, 2003 for failure to submit an adequate technical report and failure to implement/maintain BMPs.

Caltrans I-15 slope north of Claremont mesa Blvd *(Schwall)*

On March 21, 2003 the Regional Board issued a Notice of Violation to Caltrans for inadequate BMPs and sediment discharge. Caltrans submit a detailed technical report by April 11 describing the measures implemented to reduce the violations at the site.

USMC Base Camp Pendleton – Plant #1, 2, and 3 *(Clemente)*

On April 2, 2003 the Regional Board issued three NOVs to Camp Pendleton for violations of WDRs. The NOVs noted multiple violations for 1) missing required data from self monitoring reports for influent flow, 2) a variety of violations of effluent limits established in WDRs, and 3) for an incomplete Industrial Waste Survey submitted to the Regional Board.